Calendar No. 936

82D CONGRESS, 1st Session | SENATE | REPORT No. 1015

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TOMIZO NAITO

OCTOBER 16 (legislative day, OCTOBER 1), 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2054]

The Committee on the Judiciary, to which was referred the bill (S. 2054) for the relief of Tomizo Naito, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

AMENDMENT

Strike all after the enacting clause and insert in lieu thereof the following:

That for the purposes of Sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provision of law excluding aliens inadmissible to the United States because of race, the minor child, Tomizo Naito, shall be held and considered to be the natural born child of Master Sergeant and Mrs. Charles R. Senteney, citizens of the United States.

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the racial barrier to admission into the United States in behalf of a minor Japanese child in the custody of Master Sgt. and Mrs. Charles R. Senteney. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by alien minor children of citizens of the United States. The bill as originally introduced did not provide for a racial waiver and the bill has been amended accordingly.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on June 17, 1948, and has been released for adoption to Master Sgt. and Mrs. Charles R.

Senteney, who are citizens of the United States. Sergeant Senteney is presently on duty with our Armed Forces in Japan.

Senator William F. Knowland, the author of the bill, has submitted the following information in support of the bill:

UNITED STATES SENATE,
October 3, 1951.

Hon. PAT MCCARRAN,
Chairman, Senate Judiciary Committee,
Washington, D. C.

DEAR SENATOR: On August 31, I wrote to you concerning S. 2054 for the relief of Tomizo Naito and forwarded to you several documents and affidavits in support of the bill. Subsequent to this letter, I have been informed that Master Sgt. and Mrs. Charles Senteney have applied for an extension, which if approved will permit them to remain in Japan through the month of December 1951. If by that time favorable action is not taken on the bill by Congress, it appears likely that they will be ordered out of Japan and will of necessity have to abandon Tomizo Naito.

I am enclosing a copy of a letter dated September 13, 1951 from Mary C. Easterling, attorney-adviser of the Office of the Staff Judge Advocate of the Far East Command, which points out the problems which the Senteneys face. In addition, I am enclosing the photographs which Miss Easterling forwarded to me.

In view of the fact that Tomizo Naito is an infant it seems wholly improbable that any background investigation would reveal any detrimental information which would make him excludable for admission to the United States other than the fact that no quota number is available. Under the circumstances, it would seem that if under the policy established by the committee, action could be taken provided a favorable report was available, that because of the time factor involved it might be possible to take immediate action on S. 2054. If such action is not contrary to the policy of the committee, I would strongly urge that an exception be made in this case so that if possible, final action can be taken on the bill prior to the time that Congress adjourns.

With best personal regards, I remain

Sincerely yours,

WILLIAM F. KNOWLAND.

GENERAL HEADQUARTERS FAR EAST COMMMAND,
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,
APO 500 September 13, 1951.

Hon. WILLIAM F. KNOWLAND,
Senate Office Building, Washington 25, D. C.

DEAR MR. KNOWLAND: Please accept my thanks for your letter of August 31, 1951 and for copy of S. 2054 introduced by you on August 27, 1951 for the relief of Tomizo Naito.

Master Sgt. and Mrs. Charles Senteney came in yesterday from Johnson Air Base and I gave them copy of the bill. They left the enclosed pictures with me to be forwarded to you and both expressed deep appreciation for your efforts in their behalf.

Sergeant Senteney has applied for an extension, which if approved will permit him to remain here through the month of December. It is the policy, I believe, to extend for a maximum of 90 days at any one time. He does not think Mrs. Senteney will be permitted to remain here after his departure due to the housing situation. At present 938 families are scheduled to depart from the United States for Japan during the month of November under the present dependent travel policy. Therefore, anything you may be able to do to facilitate the passage and approval of this bill will be appreciated.

With best wishes and kindest respects.

Sincerely yours,

MARY C. EASTERLING,
Attorney-Adviser.

OFFICE OF THE BASE ACCOUNTABLE OFFICER,
APO 994, August 7, 1951.

To Whom It May Concern:

I take this opportunity to offer whatever assistance possible to help in the adoption of a child by Master Sgt. and Mrs. Charles Senteney. It is not often that one is called upon to lend a hand to so worthy a cause.

Sergeant Senteney is in charge of the signal section of my account and his friendly, wholesome outlook, together with his fine technical background brought him to my attention soon after I took over the base supply account. Our mutual hobby, amateur photography, has resulted in several invitations to his home which offered delightful relaxation in a truly friendly family atmosphere.

Mrs. Senteney constantly strives to make theirs a home of friendly hospitality which is too seldom found in homes of military personnel. It is so very apparent that each find in the other the qualities that combined form the ideal background for a wholesome family life based on the things that have made the American family tradition what it is.

On my last visit to their home the child in question was there and it was so very much at home that it was the chief topic of our conversation after leaving. Even though the child had been there but a few weeks it gave one the impression he was well adjusted and exhibited all the outward manifestations of parental love one would expect in any well adjusted American home.

There is no doubt in my mind that such an adoption, if approved, would be of unlimited mutual benefit to both the child and foster parents.

JAMES L. HALL,
Major, USAF
Base Accountable Officer.

OFFICE OF THE PROTESTANT CHAPLAIN,
THIRTY-FIFTH FIGHTER-INTERCEPTOR WING,
APO 994, August 13, 1951.

Subject: Letter of Recommendation.

To Whom It May Concern:

It is the considered opinion of the undersigned that Master Sgt. and Mrs. Charles Senteney are eminently qualified to assume the responsibilities as parents of the adopted child in question.

Their mature attitude, their Christian mode of life, and serene temperament give every reasonable assurance that they will successfully discharge such responsibilities as may be laid upon them.

MARTIN W. BAUMGAERTNER,
Chaplain (Major), United States Air Force,
Wing Chaplain.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2054), as amended, should be enacted.

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